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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/201,749	12/01/1998	PING-WEN ONG	11	1977

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EXAMINER COLBERT, ELLA	
ART UNIT 3624	PAPER NUMBER

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/201,749

Applicant(s)

ONG, PING-WEN

Examiner

Ella Colbert

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-35 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 06/17/04, 03/25/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.



DETAILED ACTION

1. Claims 1-35 are pending. Claims 1, 4, 11, 19, 25, and 28 have been amended in this communication filed 03/25/05 entered as Response After Non-Final Action.
2. The IDS dated 06/17/04 and 03/25/05 have been considered.
3. The claim objections for claims 4, 11, 19, 25 and 28 has been overcome by Applicant's amendment to claims 4, 11, 19, 25, and 28 and is hereby withdrawn.
4. The 35 U.S.C. 101 rejection for claims 1-7 has been overcome by Applicant's amendment to claim 1 and is hereby withdrawn for claims 1-7.
5. The 35 USC 112, second paragraph rejection for claims 1, 8, 15, 16, 22, and 28 is hereby withdrawn for claims 8 and 15 but still remains for claims 1, 16, 22, and 28 as set forth here below.
6. The Restriction By Original Presentation is hereby withdrawn in view of Applicant's request for reconsideration and arguments.
7. Applicant's arguments with respect to claims 1-35 have been considered but are moot in view of the new ground(s) of rejection set forth here below.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
9. Claims 1, 16, 22, and 28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 recites "... identifying as a function of said creation time-stamp and said requested time-stamp ...". It is unclear

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where Applicants' step is in the claim for the "creation time-stamp". There appears to be a step missing from the claim. The step is the "creation of the time-stamp". There should be a creation of the time-stamp prior to the identifying a function of the creation time-stamp. How can you identify a function of a creation time-stamp if it has not first been created? Claim 16 recites "receiving a request for an electronic document associated with said domain name, said electronic document having multiple versions, each of said versions being identified by a creation time-stamp indicating a creation time ...". This claim has a similar problem as claim 1. The step for the creation of the time-step appears to be missing. It is not understood from the claim language when and how was the time-stamp created? Claim 22 has a similar problem as claims 1 and 15.

Election/Restrictions

10. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-15, drawn to a method, a system, and an article of manufacture for receiving a request for an electronic document, the request including a requested time-stamp indicating a time associated with a desired version of the electronic document, identifying a function of the creation time-stamp, and identifying an address of the version of the electronic document, classified in class 715, subclass 511.
- II. Claims 16-28, drawn to a method, a system, and an article of manufacture for receiving a request for an electronic document associated with the domain name, the electronic document having multiple versions, identifying as a function of the creation time-stamp and the requested

time-stamp a machine corresponding to a version of the domain name, and transmitting an indication of the identified machine storing the electronic document, classified in class 707, subclass 10.

- III. Claims 29-35, drawn to a method for receiving a request for the electronic document with the request including a requested time-stamp and a domain name with the domain name being associated with a first domain for a first time period, and identifying one of the first domain or the second domain, classified in class 707, subclass 1.

11. Inventions Group I, Group II and Group III are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because Group I has separate utility such as receiving the request for the electronic document the request including a requested time-stamp indicating a time associated with a desired version of the electronic document, identifying a function of the creation time-stamp, and identifying an address of the version of the electronic document and Group II has separate utility such as receiving a request for an electronic document associated with the domain name, the electronic document having multiple versions, identifying as a function of the creation time-stamp and the requested time-stamp a machine corresponding to a version of the domain name, and transmitting an indication of the

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identified machine storing the electronic document . The subcombination Group III has separate utility such as receiving a request for the electronic document with the request including a requested time-stamp and a domain name with the domain name being associated with a first domain for a first time period, and identifying one of the first domain or the second domain.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II and Group III, the search required for Group II is not required for Group I and Group III, and the search for Group III is not required for Group I and Group II, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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Inquiries

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 571-272-6741. The examiner can normally be reached on Monday-Thursday, 6:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 571-272-6747. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



E. Colbert
June 22, 2005